IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL SIDE JURISDICTION

WRIT PETITION NO.512 OF 2007

Varsha D Joshi and ors Petitioners.

Vs

Harish Commercial Premises Coop Soc and ors ..Respondents

Mr J Reis with Ms Lakkshmi Murali for the petitioners
Mr. V.A. Thorat with Mr. A.S. Karwande for respondent No.1

CORAM: SWATANTER KUMAR, C.J., &
Dr.D.Y.CHANDRACHUD, J.

Dated: 17th August 2007

P.C.:

The learned counsel for the respondents submit that without prejudice to their rights and contentions raised in the suits being Suit Nos 2789 of 2007, 2790 of 2007, 2791 of 2007, 2792 of 2007, 2793 of 2007 and 2794 of 2007 already filed by them before the City Civil Court, Bombay, they would comply with the order of this court and enroll the petitioners as members of the society. He further submits that directions may now be issued to the City Civil Court, Bombay for expeditious disposal of the suits, as according to the society, even the agreements which have been relied upon are the result of fraud.

The learned counsel for the Petitioners does not admit all these allegations, However, he will have no objection if the order is made without prejudice to the rights and contentions of the respective parties. Consequently, keeping in view the statements made by the learned counsel for the parties, we direct the respondents to enroll the petitioners as members of the society without prejudice to their rights and contentions in the suits filed in the City Civil Court, Bombay.

We request the City Civil Court, Bombay to expedite the suits. Parties are left to bear their own costs.

CHIEF JUSTICE

Dr. D.Y.CHANDRACHUD, J.